

§2. Studies on the Problems Related to the Disclosure of NIFS Fusion Science Archives

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Necessity of the Information disclosure

The archives such as documents or records should be open to public. However, there is the case that it is necessary to limit public use under some conditions, where personal information and profit of a group or an individual must be protected.

Therefore the standard for disclosure has to be established beforehand, and it is necessary to announce the standard. In this point, NIFS Fusion Science Archives (FSA) is not an exception, too.

In this regard, this report deals with the disclosure of NIFS FSA on the basis of “Thirty year rule” of ICA (International Council on Archives) and a particular case of Nagoya University Archives (NUA).

“Thirty year rule” as an international guideline

In 1968, the annual general meeting of ICA was held in Madrid, and “Thirty year rule” was decided in the meeting. This principle is adopted in National Archives of Japan. The points of this principle are as follows.

1. The public access to the archives such as documents or records should be given after a maximum general delay of thirty years. In specific cases a delay longer than thirty years may be necessary.
2. Exceptions to the general thirty year rule on public access to the archives may be made mainly for the following types of records:
 - (1) The records relating to national, regional and international security and defense.
 - (2) The records containing business, financial or other economic information of individual firms or other establishments submitted in confidence to the organization.
 - (3) The personnel records containing information concerning the physical and mental health of individuals and other information the disclosure of which would constitute an unwarranted invasion of personal privacy.

The Information disclosure in NUA

Nagoya University Archives (NUA) was established in 2004. It manages the historical records about Nagoya University. NUA established official regulation for the archive use in April 2004. Article 3 of the regulation provides a standard on disclosure of archives such as documents or records. The summary is as follows.

1. Researchers and general people can access archives

equally.

2. The archive that thirty years passed after created or received can be accessed.
3. As for the archive that thirty years have not passed after created or received, the access is limited in the case of the followings.
 - (1) When personal information is included in the archives.
 - (2) When the archive may infringe a personal right and profit in competition to run a business.
 - (3) When there is a constraint established by the archives donor.
 - (4) When the archives may be damaged.
4. Even if thirty years passed after created or received, public access is limited in the case of the followings.
 - (1) When the personal secret that may infringe a right and profit of the person unfairly is included in the archives.
 - (2) When the contents which may infringe personal right and profit to run a business unfairly are included in the archives.

Problems related to Information Disclosure

In considering Information Disclosure of NIFS FSA, “Act on Access to Information Held by Incorporated Administrative Agencies” is applied as well as in NUA. In this Act, Incorporated Administrative Agencies does not have to disclose the following items in Information Disclosure system. They are “Items that are, pursuant to the provisions of a Cabinet Order, specially managed as either historical or cultural materials, or as materials for academic research in the National Archives or other organs designated by a Cabinet Order”. In this case Archives organization must have the official regulations including the public access standard that follows an international standard of ICA.

The Incorporated Administrative Agencies must disclose all items (documents, records etc., for organizational use) based on ACT if Archives organization does not satisfy an established condition. It will bring an extremely troublesome procedure for the staff of the organization and the users.

On the basis of above mentioned considerations, a draft for the regulation for access to NIFS FSA was proposed and it is now under reviewing process at NIFS administration. The proposed regulation for access to NIFS FSA follows the internationally accepted “Thirty year rule”, and according to this proposal, researchers as well as an ordinary citizen can access to the Archives with the purpose of investigations.

This work was conducted under NIFS Collaborative Research Program (NIFS05KVXJ005).